

CLASSIFICATION OFFICE DECISION

Title of publication: th3NC06M73.jpg

Other known title(s): Not stated

OFLC ref: 1700504.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 05 October 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 05 October 2017

Summary of reasons for decision:

The file is a highly sexualised image of a naked young woman who may be involved in a sexual act. It was submitted by Police due to concerns that it may promote or support the exploitation of young persons for sexual purposes under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993. However, the age of the subject is ambiguous and while she might be a teenager she might just as easily be a young adult. From the limited amount of information available in the image it cannot fairly be said to depict a young person. However, the image file's availability still requires restriction to adults as it focuses on her nudity and her activity for the apparent purpose of sexual arousal. This type of imagery is unsuitable for children and teenagers. There is the potential for harm to the development of young impressionable viewers' sexual attitudes and behaviours from exposure to this image. The classification of objectionable interferes with the right to freedom of expression contained in the New Zealand Bill of Rights Act 1990, but is reasonable in order to prevent injury to the public good.